IN THE DRAWING(S):

Please replace the current drawing sheets with the attached sheets of drawings (3). Replacement Sheets 1 and 3 include changes to Figures 1 and 3. Reference element "116" in Fig. 1 is replaced by reference element --114-- in accordance with the specification and the feedback loop mentioned on page 7 of the specification has been included in Fig. 3.

Attachment: Three Drawing Sheets.

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks. By this Amendment, claims 1, 9-11, 17 and 22 are amended to merely clarify the recited subject matter. Claims 1-22 are pending.

The Office Action objected to the drawings for informalities. In response Replacement Sheets are submitted including reference element "116" in Fig. 1 being replaced by reference element --114-- in accordance with the specification and the feedback loop mentioned on page 7 of the specification has been included in Fig. 3.

The Office Action objected to the language "the node" and "the entity" as referred to on page 5 of the specification as being unclear. However, as indicated in paragraph [0022] of the specification, "the node" is adequately described as referring to either a packet generating node or an intermediate node. The recitation of a method that can be applied to different types of nodes is not ambiguous, but is rather representative of the multiple embodiments in which the method may be employed. Similar reasoning holds for references to "the entity" which is provided as a primary peer in one described example (page 5, line 3) but may also take many other forms as understood by one of ordinary skill in the art. Accordingly, the Applicant respectfully requests this objection be withdrawn.

The Office Action requested clarification of the packet P1 format before IPD is added and after IPD is added, how the packet P1 sequence number is related to IPD, what is the main function of the sending and receiving nodes and what is a "test packet".

With regard to packet P1 format without an IPD, adding an indication to a packet means that a certain bit or certain bits are either turned on or off depending on the actual message format used. This is commonly known among those skilled in the art. Assuming that in a packet with an IPD bits are turned on, a packet without an IPD has those bits turned off.

With regard to the relationship between the sequence number and IPD, both the sequence number and IPD are elements of a resent packet. A sequence number is used to identify the packet both in the receiving node and in the sending node. An IPD indicates to the receiving node that this specific packet may be a duplicate and was resent because no acknowledgement was received. Whether or not this specific packet is a duplicate is decided on the basis of the sequence number in the receiving node. As commonly known, a receiving node usually notices duplicates by comparing a sequence number in the received packet to

the sequence numbers of the earlier received packets. This is explained in paragraphs [0003] and [0022] of the specification for example.

Further, a test packet is a packet that is sent to check whether on not the earlier sending of a packet was successful in a situation in which no acknowledgement was received. In the specification, for example, the last sentence of paragraph [0024], defines one format of the test packet (as P1 but without payload) and paragraph [0027] defines another format (i.e. resent P1).

The Office Action rejected claims 1-22 under 35 U.S.C. 102(e) as being anticipated by Riley et al. (US 5,856,972).

Applicant traverses the prior art rejection because Riley et al. fails to disclose, teach, or suggest all of the features in the rejected claims. For example, Riley et al. fails to disclose "indicating a possible duplication of said unit when resending it, the possible duplication showing that said unit was resent because no response was received," as recited in claims 1-9, "indicating a possible duplication of said unit when resending it to the second receiving entity, the possible duplication showing that said unit was resent because no response was received," as recited in claim 10, a sending entity being arranged "to indicate a possible duplication of said unit when resending it, the possible duplication showing that said unit was resent because no response was received," as recited in claims 11-16, a network node arranged to "indicate that said unit is a possible duplication when resending said unit, the possible duplication showing that said unit was resent because no response was received," as recited in claims 17-20, a network node "receiving a unit having an indication indicating a possible duplication of said unit, the possible duplication showing that said unit was resent because no response was received," as recited in claim 21, or a network node "arranged to check when receiving a unit whether it is indicated to be a possible duplication of said unit, the possible duplication showing that said unit was resent because no response was received."

Riley et al. merely teaches that a receiving node compares a transaction ID in a received packet with transactions IDs of earlier received packets; on the basis of that comparison, the receiving node deduces whether the packet is assumable to be a duplicate. As a result, the receiving node receives no indication of a possible duplication.

Furthermore, Riley et al. clearly teaches resending the packet in a similar way as it was originally sent (see e.g., column 5, lines 27 to 38). To the contrary, the claimed invention recites that an indication of a possible duplication is also sent when resending the packet if no response was received. As a result, Riley et al. actually teaches away from the claimed

invention by teaching that the receiving node sends a duplicate acknowledgement (see column 10, lines 5-9) if the receiving node assumes that the received packet is a duplicate, that duplicate acknowledgement indicating to the sending node that receiving node assumed the acknowledged packet to be a duplicate.

In other words, Riley et al. teaches duplication when a received packet is acknowledged. Thus, Riley et al. fails to teach or suggest indicating a possible duplication when resending a packet because no response was received, as recited in the rejected claims. Therefore, claims 1-22 are patentable over Riley et al.

Accordingly, claims 1-22 are allowable.

All objections and rejections having been addressed, the Applicant requests issuance of a Notice of Allowance indicating the allowability of the pending claims. If anything further is necessary to place the application in condition for allowance, the Applicant requests that the Examiner contact the Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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